

DISTRICT OF COLUMBIA RENTAL HOUSING COMMISSION

TP 27,730

In re: 3636 16th Street, N.W. Unit B-1066.

Ward One (1)

JONATHAN WOODNER COMPANY
Housing Provider/Appellant

v.

HELEN ENOBAKHARE
Tenant/Appellee

ORDER ON NOTICE OF NON-RECEIPT OF PLEADINGS

February 29, 2008

YOUNG, CHAIRPERSON. On January 17, 2003, Helen Enobakhare filed Tenant Petition (TP) 27,730, with RACD. RACD issued its decision and order on July 8, 2003. Enobakhare v. Jonathan Woodner Co., TP 27,730 (RACD July 8, 2003). On July 24, 2003, the housing provider filed a Notice of Appeal in the Commission. On February 3, 2005, the Commission issued its decision. Jonathan Woodner Co. v. Enobakhare, TP 27,730 (RHC Feb. 3, 2005). (Decision). The Commission's decision affirmed, in part, and reversed, in part, the Rent Administrator's decision and remanded the decision for a recalculation of the rent refund due the tenant.

On March 2, 2007, the Rent Administrator issued the proposed decision and order on remand. Enobakhare v. Jonathan Woodner Co., TP 27,730 (RAD Mar. 2, 2007). On March 30, 2008, the housing provider filed its objections to Proposed Decision and Order or alternatively, Motion for Reconsideration of Final Order. On April 19, 2007, the housing provider filed its Notice of Appeal of Decision and Order.

On February 28, 2008, the tenant, Helen Enobakhare filed with the Commission a Notice of Non-Receipt of Pleadings. In her notice the tenant argues that she failed to receive, "1) The Rent Administrator's Proposed Decision and Order dated March 2007; 2) Decision and Order dated March 2, 2007; and 3) Denial of Housing Provider's Motion for Reconsideration dated March 29, 2007."¹ The record reflects that the Proposed Decision and Order, the housing provider's objections to the Proposed Decision and Order and the housing provider's appeal of the Decision and Order were mailed to her at the following addresses:

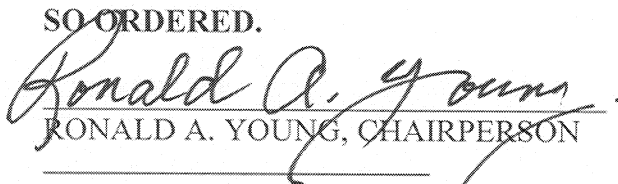
Helen Enobakhare
1120 New York Avenue, N.W.
Washington, D.C. 20005

Helen Enobakhare
1245 K Street, S.E.
Washington, D.C. 20003

The tenant asserts that on May 4, 2007 and November 29, 2007, she filed Notices of Change of Address. The record of the Rent Administrator does not reflect that the tenant filed her Notice of Change of Address with the Rent Administrator's office. On December 3, 2007 the tenant notified the Commission of her new address. The housing provider is directed to include a certificate of service to the tenant, in compliance with 14 DCMR § 3803 (2004), at the following address:

Helen Enobakhare
91 New Lane
Staten Island, NY 10305

SO ORDERED.


RONALD A. YOUNG, CHAIRPERSON

¹ The Rent Administrator's record did not contain an order in response to the housing provider's Motion for Reconsideration.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing **ORDER ON NOTICE OF NON-SERVICE OF PLEADINGS** in TP 27,730 was mailed postage prepaid by priority mail, with delivery confirmation on this **29th day of February, 2008** to:

Helen Enobakhare
91 New Lane
Staten Island, NY 10305

Jonathan Schuman, Esquire
Schuman & Felts, Chtd.
4804 Moorland Lane
Bethesda, MD. 20814



LaTonya Miles
Contact Representative
(202) 442-8949